

Understanding the Department of Veterans Affairs

The United States Department of Veterans Affairs (VA) is a federal Cabinet-level agency that provides integrated life-long healthcare services to eligible military veterans at the 1700 VA medical centers and outpatient clinics located throughout the country. Non-healthcare benefits include disability compensation, vocational rehabilitation, education assistance, home loans, and life insurance; and provides burial and memorial benefits to eligible veterans and family members at 135 national cemeteries.

The VA is divided into 3 separate entities: Veterans Health Administration; Veterans Benefits Administration; and the National Cemetery Administration. Between these three entities, the VA administers benefits to the more than 18 million veterans currently living. The VA accomplishes this mission through the employment of over 412,000 employees who together are responsible for the administration of over \$273 billion dollars. This herculean task means that the VA is very rigid in how they process their claims. Often times, the most important aspect of the success of your claim is the degree to which you are able to navigate their systems and processes.

Veterans Benefits Administration

The programs within the Veterans Benefits Administration are literally too numerous to list. For a complete breakdown, you can go to the following website, for a list of VBA programs, A to Z

(<https://www.benefits.va.gov/atoz/>). Below are the three most commonly accessed programs of the VBA by senior citizens.

VA Non-Service Connected Pension (NSC)

What is VA Pension?

Pension is a needs-based benefit program for wartime Veterans, who are age 65 or older or have a permanent and total non-service connected disability, and who have limited income and net worth. Veterans who are more seriously disabled may qualify for pension at the increased house-

bound or aid and attendance rates.

Who is eligible?

You may be eligible if you meet the following criteria:

- You were discharged from service under other than dishonorable conditions, AND
- You served 90 days of active duty with at least one day during wartime (at least 24 months for those who entered service after September 7, 1980), *AND
- Your countable income is below the maximum annual pension rate (MAPR), AND
- You meet net worth limitations AND
- You meet one of the following criteria:
 - o You are age 65 or older.
 - o You have a permanent and total non-service-connected disability.
 - o You are a patient in a nursing home

due to mental or physical incapacity.

o You are receiving Social Security disability benefits.

*Veterans who entered active duty after September 7, 1980, must serve at least 24 months of active-duty service. If the length of service is less than 24 months, the Veteran must have completed their entire tour of active duty.

For the current net worth limit and MAPR, see the Veterans Pension Rate Table at http://www.benefits.va.gov/PENSION/current_rates_veteran_pen.asp.

How much does VA pay?

1. VA determines the Maximum Annual Pension Rate (MAPR) for your situation. This amount is set by Congress.

2. Next, VA determines your countable income. This is done by subtracting exclusions provided by law from your total annual income.

3. VA then subtracts your countable income from the MAPR. This difference is your yearly pension entitlement.

4. VA divides this amount by 12 and rounds to the nearest dollar. This is the approximate amount of your monthly pension payment. VA deducts certain expenses you pay, such as unreimbursed medical expenses, from your annual household income. This will decrease your countable income and increase your monthly pension payment. Find a complete list of eligible expenses in the Code of Federal Regulations, sections 3.261 and 3.262 of Title 38, located at <http://www.ecfr.gov/cgi-bin/textidx?SID=60a4d32d8dc1ba66fef8e80bb5903c04&node=pt38.1.3&rqn=div5>.

5. The VA also measures your net worth, which must be below the cap of \$138,489 for 2022. This net worth cap excludes a home on a parcel of land less than two acres and the claimants care and personal

effects.

How can you apply?

You can apply for pension by filling out VA Form 21P-527EZ, "Application for Pension," located at <http://www.vba.va.gov/pubs/forms/VBA-21P-527EZ-ARE.pdf>. Mail or fax the form and Veteran's death certificate to the Pension Management Center serving your state.

Veterans Service Connected Comp (SC)

Disability compensation is a benefit paid to Veterans because of injuries or disease that happened during active duty. In some cases, an existing disease or injury was worsened due to active military service. This benefit is also paid to certain Veterans disabled from VA health care. The benefits are tax-free.

Who is eligible?

You may be eligible for disability compensation if:

- You have a service-related disability or illness.
- Your discharge was not dishonorable.

How much does VA pay?

The amount of benefit pay varies depending on your disability. You may be paid additional amounts if:

- You have very severe disability(ies) or loss of limb(s).
- You have a spouse, child(ren) or dependent parent(s).
- You have a seriously disabled spouse.

How can you apply?

Fill out VA Form 21-526, "Veterans Application for Compensation and/or Pension," located at <https://www.vba.va.gov/pubs/forms/VBA->

21-526-ARE.pdf. You may also use VA Form 21-526EZ, "Fully Developed Claim (Compensation)," located at <https://www.vba.va.gov/pubs/forms/VBA-21-526EZ-ARE.pdf>.

If you have any of the following documents, please attach them to your application:

- Discharge or separation papers (DD214 or equivalent)
- Dependency records (marriage license and children's birth certificates)
- Medical evidence (doctor or hospital reports and records)

You can also apply online using eBenefits at <https://www.ebenefits.va.gov/ebenefits/about/feature?feature=disabilitycompensation>.

Dependency and Indemnity Comp (DIC)

What is Dependency and Indemnity Compensation?

Dependency and Indemnity Compensation (DIC) is a monthly benefit. It is paid to eligible survivors of:

Service members who died while on active duty, active duty for training or inactive duty training, OR

Veterans who died as a result of a service-connected injury or disease, OR

Veterans who did not die as a result of a service-connected injury or disease, but were totally disabled by a service-connected disability:

- o For at least 10 years before death, OR
- o Since their release from active duty and for at least five years before death, OR
- o For at least one year before death, if they were a former prisoner

of war and died after Sept. 30, 1999.

Who is eligible?

Surviving Spouses

You may be eligible for DIC benefits if you are a surviving spouse who:

- Married a Service member who died on active duty, active duty for training or inactive duty training, OR
- Married the deceased Veteran before Jan. 1, 1957, OR
- Married a Veteran who died from a service-connected injury or disease, as long as the marriage began within 15 years of discharge, OR
- Married the deceased Veteran for at least one year, OR
- Had a child with the Veteran and cohabitated with the Veteran until their death.

o Note: If you have a child with the Veteran but were separated, you must not be at fault for the separation and not be remarried in order to be eligible.

Note: If you remarried on or after Dec. 16, 2003 and were at least 57 years old, you may still be eligible.

Surviving Children

If you are a surviving child, you may be eligible for DIC if the Veteran parent:

- Died in the line of duty, OR
- Died as a result of a service-connected injury or disease.

You also must be unmarried and either:

- Under the age of 18, OR
- Between the ages of 18 and 23 and currently attending school.

Certain helpless adult children may also be eligible. You can call 800-827-1000 for eligibility requirements.

Parents

If you are a surviving parent, you may be eligible for DIC if the Veteran child:

- Died in the line of duty, OR
- Died as a result of a service-connected injury or disease.

You can find more information about Parents' DIC at

www.benefits.va.gov/COMPENSATION/ty pes-dependency and indemnity parents.asp.

How Much Does VA Pay?

- View the benefits tables for surviving spouses and children at www.benefits.va.gov/Compensation/current_rates_dic.asp.
- View the benefits table for parents at www.benefits.va.gov/Pension/current_rates_Parents_DIC_pen.asp.

How Can You Apply?

Apply for DIC benefits by filling out:

- VA Form 21P-534EZ, "Application for DIC, Death Pension and Accrued Benefits." Access the forms at www.vba.va.gov/pubs/forms/VBA-21P-534EZ-ARE.pdf.
- VA Form 21P-535, "Application for Dependency and Indemnity Compensation by Parent(s)," accessed at www.vba.va.gov/pubs/forms/VBA-21P-535-ARE.pdf.

Mail or fax your completed form to the Pension Management Center that covers your area. Find more information at www.benefits.va.gov/PENSION/resources-contact.asp. If you do not know which PMC has jurisdiction over your claim, submit your application to your closest VA regional benefit office. See the directory of VA regional benefit offices at www.benefits.va.gov/benefits/offices.asp

Veterans Health Administration

If you qualify for VA health care, you'll receive coverage for the services you need to help you get—and stay—healthy. All VHA health benefits start by filing a VA Form 10-10ez. This form will allow the VA to place you into one of eight "priority groups", which will in turn, determine your level of access to VHA health care resources.

Eligibility for VHA Health Care

Am I eligible for VA health care benefits?

You may be eligible for VA health care benefits if you served in the active military, naval, or air service and didn't receive a dishonorable discharge.

If you enlisted after September 7, 1980, or entered active duty after October 16, 1981, you must have served 24 continuous months or the full period for which you were called to active duty, unless any of the descriptions below are true for you.

This minimum duty requirement may not apply if any of these are true. You:

Were discharged for a disability that was caused—or made worse—by your active-duty service, or

Were discharged for a hardship or "early out," or

Served prior to September 7, 1980

If you're a current or former member of the Reserves or National Guard, you must have been called to active duty by a federal order and completed the full period for which you were called or ordered to active duty. If you had or have active-duty status for training purposes only, you don't qualify for VA health care.

How to Apply for VHA Health Care

How do I prepare before starting my application?

Find out if you're eligible for VA health care benefits

Gather the documents listed below that you'll need to fill out an Application for Health Benefits (VA Form 10-10EZ)

What documents and information do I need to apply?

Your most recent tax return

Social Security numbers for yourself and your qualified dependents

Account numbers for any current health insurance you already have (like Medicare, private insurance, or insurance from your employer)

By phone

Call our toll-free hotline at 877-222-8387, Monday through Friday, 8:00 a.m. to 8:00 p.m. ET to get help with your application.

By mail

Fill out an Application for Health Benefits (VA Form 10-10EZ).

You or someone acting as your power of attorney must sign and date the form. And:

If you're using a power of attorney, you'll need to submit a copy of the Power of Attorney form along with your application.

If you sign with an "X," 2 people you know must witness your signature. They'll also need to sign and print their names on the form.

Send your completed application here:

Health Eligibility Center
2957 Clairmont Rd., Suite 200
Atlanta, GA 30329

In person

Fill out an Application for Health Benefits (VA Form 10-10EZ).

You or someone acting as your power of attorney must sign and date the form. And:

If you're using a power of attorney, you'll need to submit a copy of the Power of Attorney form along with your application.

If you sign with an "X," 2 people you know must witness your signature. They'll also need to sign and print their names on the form.

Go to your nearest VA medical center or clinic. Bring a signed Application for Health Benefits (VA Form 10-10EZ) with you.

Or get help through your state's Department of Veterans Affairs.

VHA Priority Groups

What factors will VA use to assign me to a priority group?

Your priority group on:

Your military service history, and

Your disability rating, and

Your income level, and

Whether or not you qualify for Medicaid, and

Other benefits you may be receiving (like VA pension benefits)

We assign Veterans with service-connected disabilities the highest priority. We assign the lowest priority to Veterans who earn a higher income and who don't have any service-connected disabilities qualifying them for disability compensation (monthly payments). If you qualify for more than one priority group, we'll assign you to the highest one.

Priority group 1

We may assign you to priority group 1 if any of the below descriptions are true.

You:

Have a service-connected disability that we've rated as 50% or more disabling, or

Have a service-connected disability that we've concluded makes you unable to work (also called unemployable), or

Received the Medal of Honor (MOH)

Priority group 2

We may assign you to priority group 2 if you have a service-connected disability that we've rated as 30% or 40% disabling.

Priority group 3

We may assign you to priority group 3 if any of the below descriptions are true.

You:

Are a former prisoner of war (POW), or

Received the Purple Heart medal, or

Were discharged for a disability that was caused by—or got worse because of—your active-duty service, or

Have a service-connected disability that we've rated as 10% or 20% disabling, or

Were awarded special eligibility classification under Title 38, U.S.C § 1151, "benefits for individuals disabled by treatment or vocational rehabilitation"

Priority group 4

We may assign you to priority group 4 if either of the below descriptions is true.

You:

Are receiving VA aid and attendance or housebound benefits, or

Have received a VA determination of being catastrophically disabled

Priority group 5

We may assign you to priority group 5 if any of the below descriptions are true.

You:

Don't have a service-connected disability, or you have a non-compensable service-connected disability that we've rated as 0% disabling, and you have an annual income level that's below our adjusted income limits (based on your resident zip code), or

Are receiving VA pension benefits, or

Are eligible for Medicaid programs

Priority group 6

We may assign you to priority group 6 if any of the below descriptions are true.

You:

Have a compensable service-connected disability that we've rated as 0% disabling, or

Were exposed to ionizing radiation during atmospheric testing or during the occupation of Hiroshima and Nagasaki, or

Participated in Project 112/SHAD, or

Served in the Republic of Vietnam between January 9, 1962, and May 7, 1975, or

Served in the Persian Gulf War between August 2, 1990, and November 11, 1998, or

Served on active duty at Camp Lejeune for at least 30 days between August 1, 1953, and December 31, 1987

We may also assign you to priority group 6 if you meet all of the requirements listed below. You:

Are currently or newly enrolled in VA health care, and

Served in a theater of combat operations after November 11, 1998, or were

discharged from active duty on or after January 28, 2003, and

Were discharged less than 5 years ago

Note: As a returning combat Veteran, you're eligible for these enhanced benefits for 5 years after discharge. At the end of this enhanced enrollment period, we'll assign you to the highest priority group you qualify for at that time.

Priority group 7

We may assign you to priority group 7 if both of the below descriptions are true for you:

Your gross household income is below the geographically adjusted income limits (GMT) for where you live, and

You agree to pay copays

Priority group 8

We may assign you to priority group 8 if both of the below descriptions are true for you:

Your gross household income is above VA income limits and geographically adjusted income limits for where you live, and

You agree to pay copays

If you're assigned to priority group 8, your eligibility for VA health care benefits will depend on which subpriority group we place you in.

National Cemetery Administration

Burial and Plot Internment Allowance

What Are VA Burial Allowances?

VA burial allowances are flat-rate monetary benefits. They help cover eligible Veterans'

burial and funeral costs. Generally, they are paid at the maximum amount allowed by law. A 2014 VA regulation change helped simplify the program. Eligible surviving spouses are now paid automatically. This happens upon notification of the Veteran's death. There is no need to submit a claim. However, VA may grant additional benefits after receiving a claim. These include plot or interment allowance and transportation allowance.

Who Is Eligible?

If the surviving spouse has not been automatically paid, VA will pay whomever files a claim first of the following:

- The Veteran's surviving spouse
- The Veteran's children, regardless of age
- The Veteran's parents
- The executor or administrator of the estate
- The survivor of a legal union with the Veteran. This applies to formal relationships that continued up until the Veteran's death. The couple needs to have formalized the relationship under the law of the state. There should be state-issued documentation of the relationship.

The Veteran must have a discharge other than dishonorable. The Veteran must also have met one of the following conditions:

- Death as the result of a service-connected disability
- Receiving VA pension or compensation at time of death
- Entitled to receive VA pension or compensation at time of death, but instead received full military retirement or disability pay
- Died while hospitalized by VA or while receiving care under VA contract
- Died while traveling under the following

circumstances:

- o Under proper authorization and at VA expense
- o To or from a place for the purpose of examination, treatment or care
- Had an original or reopened claim for VA compensation or pension pending at the time of death
 - o Only if the Veteran would have been entitled to benefits from a date prior to the death date
- Died on or after Oct. 9, 1996, while a patient at a VA-approved state nursing home

How Much Does VA Pay?

For service-connected deaths:

- If the Veteran died on or after Sept. 11, 2001: maximum \$2,000
- If the Veteran died before Sept. 11, 2001: maximum \$1,500
- If the Veteran is buried in a VA national cemetery: some or all of the costs of transporting remains

For non-service-connected deaths:

- If the Veteran died on or after Oct. 1, 2017: \$300 burial allowance; \$762 for a plot
- If the Veteran died on or after Oct. 1, 2016, but before Oct. 1, 2017: \$300 burial allowance; \$749 for a plot
- If the Veteran died on or after Oct. 1, 2015, but before Oct. 1, 2016: \$300 burial allowance; \$747 for a plot

Effective Oct. 1, 2011, non-service-connected death rates have changed. Payable rates are higher if the Veteran was hospitalized by VA at time of death.

- If the Veteran died on or after Oct. 1, 2017: \$762 burial allowance; \$762 for a plot

- If the Veteran died on or after Oct. 1, 2016: \$749 burial allowance; \$749 for a plot
- If the Veteran died on or after Oct. 1, 2015, but before Oct. 1, 2016: \$747 burial allowance; \$747 for a plot
- If death occurred while the Veteran was hospitalized by VA: some or all costs of transporting remains
 - o This also applies to VA-contracted nursing home care.

Note: If the Veteran dies while traveling at VA expense, VA will pay burial, funeral, plot or interment allowances. VA will also pay transportation expenses. The traveling must have been for the purpose of an exam, treatment or care.

For unclaimed remains:

- If Veteran remains are unclaimed, the entity responsible for burial can receive a \$300 burial allowance.
- If buried in a VA national cemetery, VA may reimburse:
 - o The cost of transporting remains
 - o The cost for a plot

How Can You Apply?

Apply by filling out VA Form 21P-530, "Application for Burial Benefits." You can find the form at <https://www.vba.va.gov/pubs/forms/VBA-21p-530-ARE.pdf>. Attach a copy of the deceased's discharge document and a death certificate. Attach a receipt if you are claiming transportation expenses. Mail your application to the VA regional benefit office in your state. You can find your office location by visiting <https://www.benefits.va.gov/benefits/offices.asp>.

Burial Flag

Why Does VA Provide a Burial Flag?

A United States flag is provided to drape the casket of a deceased Veteran. The flag is provided at no cost. It is intended to honor the memory of a Veteran who served honorably in the U.S. Armed Forces. VA furnishes a burial flag for the following Veterans who received other than dishonorable discharge:

- Veterans who served during wartime
- Veterans who died on active duty after May 27, 1941
- Veterans who served after Jan. 31, 1955
- Peacetime Veterans who were discharged or released before June 27, 1950
- Certain people who served in the organized military forces of the Commonwealth of the Philippines while in service of the U.S. Armed Forces
 - Must have died on or after April 25, 1951
- Certain former members of the Selected Reserves

Who Is Eligible to Receive the Burial Flag?

After the funeral service, the flag is given to the next-of-kin as a keepsake. When there is no next-of-kin, VA will give the flag to a friend who requests it. For VA national cemeteries with an Avenue of Flags, you can donate the flag to be flown on patriotic

holidays.

How Can You Apply?

Complete VA Form 27-2008, "Application for United States Flag for Burial Purposes" to apply. You can find the form at <https://www.vba.va.gov/pubs/forms/VBA-27-2008-ARE.pdf>. VA regional benefit offices and some post offices are the primary issuing points for burial flags. You can find your closest regional benefit office by visiting 2 <https://www.benefits.va.gov/benefits/offices.asp>. Please note, not all local post offices have burial flags on hand. Call and confirm with your local post office in advance.

Can a Burial Flag Be Replaced?

According to law, VA can issue only one flag for a Veteran's funeral. It cannot be replaced if lost, destroyed or stolen. However, some organizations or community groups may be able to help you get another flag.

How Should the Burial Flag Be Displayed?

This depends on whether the casket is open or closed. VA Form 27-2009 (<https://www.vba.va.gov/pubs/forms/VBA-27-2008-ARE.pdf>) provides the correct method for displaying and folding. The burial flag is not suitable for outside display. This is due to its size and fabric. The cotton can easily be damaged by weather.